

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:04R537
)	
Plaintiff,)	
)	
v.)	ORDER
)	
SEAN GDOWSKI,)	
)	
Defendant.)	

This matter comes on to consider the government's motion for reduction of sentence pursuant to Rule 35(b) and request for hearing. Filing No. 46. Having considered the matter,

IT IS ORDERED that:

- (1) The government's request for hearing, Filing No. 46, is granted;
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) has been set before the undersigned United States district judge on **October 17, 2006, at 1:00 p.m.** in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska;
- (3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion;
- (4) The Marshal is directed not to return the defendant to the district; and**
- (5) The defendant is held to have waived his right to be present.

DATED this 26th day of September, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge